

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BEUG and HOFMANN

Appl. No. *To Be Assigned*

Filed: January 28, 2002

For: **Pro-apoptotic Proteins and DNA
Molecules Encoding Them**

Confirmation No.: *To Be Assigned*

Art Unit: *To Be Assigned*

Examiner: *To Be Assigned*

Atty. Docket: 0652.2430001/EKS/PAJ

Preliminary Amendment

Commissioner for Patents
Washington, D.C. 20231

Sir:

In advance of prosecution, Applicants submit the following Preliminary Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks. 37 C.F.R. § 1.115; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with Markings to Show Changes Made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments

In the Specification:

Please insert the following section/paragraph on page 1 after the title:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims priority benefit of U.S. Provisional Application No. 60/297,443, filed June 13, 2001, which is hereby incorporated by reference in its entirety.

In the Claims:

Please substitute the following claim 8 for the pending claim 8:

8. (Once amended) The method of claim 5, wherein the interaction partner of p12 is VDAC.

Please substitute the following claim 11 for the pending claim 11:

11. (Once amended) The use of a compound identified in a method of claim 5 for the preparation of a medicament for the treatment and prophylaxis of proliferative disorders.

Please add the following new claim:

15. (New) The use of a compound identified in a method of claim 9 for the preparation of a medicament for the treatment and prophylaxis of proliferative disorders.

Remarks

The specification has been amended to insert the pertinent continuing data in accordance with 37 C.F.R. § 1.78 (a)(5), and the claims have been amended to reduce the number of multiple dependent claims. Support for new claim 15 can be found, for example, in claim 11 as originally filed. These changes are believed to introduce no new matter, and their entry is respectfully requested.

It is believed that the application is now in condition for examination. Early notice to this effect is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: Jan 28, 2002

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Version with Markings to Show Changes Made

In the Specification:

A section/paragraph was inserted on page 1 after the title.

In the Claims:

The claims were amended as follows:

8. (Once amended) The method of claim 5 [any one of claims 5 to 7], wherein the interaction partner of p12 is VDAC.

11. (Once amended) The use of a compound identified in a method of claim 5 [any one of claims 5 to 10] for the preparation of a medicament for the treatment and prophylaxis of proliferative disorders.

New claim 15 was added.